

Notice of Allowability	Application No.	Applicant(s)	
	10/016,518	GOETZINGER ET AL.	
	Examiner Nguyen Ngo	Art Unit 2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 5/03/2006.
2. The allowed claim(s) is/are 15-20, 25, and 27-31.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Santisi on 6/29/2006.

The application has been amended as follows:

2. -Claims 1-14, 21-24, and 26 has been cancelled.
3. -Claim 25, line 5-7, delete "adapted" after "code".
4. -Claim 27, lines 12-13, delete "wherein" after "factor;" and the phrase "includes" has been changed to --including--.
5. -Claim 31, lines 2-3, delete "adapted to" after "queue", and the phrase "define" has been changed to --defining--.

Allowable Subject Matter

6. Claims 15-20, 25, and 27-31 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

7. Claims 15 and 25 are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose determining a first and second sub queue distance corresponding to a distance between the current pointer and a slot in which the first or second winning flow is enqueued and comparing the first and second queue distances. It is noted that the closest prior art, Naven et al. (US 6810043) shows the method incorporating scheduling circuitry which includes a master calendar (first sub queue) for holding entries corresponding to events that are to occur within a pre-selected master-calendar range, and a slave calendar (second sub queue) for holding entries corresponding respectively to events that are to occur beyond that scheduling range. However, Naven et al. fails to disclose or render obvious to the above underline limitations as claimed.

8. Claims 27 is are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose the least significant digits of the CP pointer being applied to the first sub queue and the most significant digits of the CP pointer being applied to the second sub queue. It is noted that the closest prior art, Naven et al. (US 6810043) shows the method incorporating scheduling circuitry which includes a master calendar (first sub queue) for holding entries corresponding to events that are to occur within a pre-selected master-

calendar range, and a slave calendar (second sub queue) for holding entries corresponding respectively to events that are to occur beyond that scheduling range. However, Naven et al. fails to disclose or render obvious to the above underline limitations as claimed.

9. Claims 27 is are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose of scaling the distance prior to attaching the flow to the second sub queue. It is noted that the closest prior art, Naven et al. (US 6810043) shows the method incorporating scheduling circuitry which includes a master calendar (first sub queue) for holding entries corresponding to events that are to occur within a pre-selected master-calendar range, and a slave calendar (second sub queue) for holding entries corresponding respectively to events that are to occur beyond that scheduling range. However, Naven et al. fails to disclose or render obvious to the above underline limitations as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen Ngo whose telephone number is (571) 272-8398. The examiner can normally be reached on Monday-Friday 7am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N.N

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SUPERVISORY PATENT EXAMINER